

# PROPOSED CONSTITUTIONAL AMENDMENTS

## SENATE JOINT RESOLUTIONS

### S.J.R. No. 4

#### SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing jury instructions on good time and eligibility for parole and mandatory supervision.

*Be it resolved by the Legislature of the State of Texas:*

SECTION 1. Article IV, Section 11, of the Texas Constitution is amended to read as follows:

Sec. 11. (a) The Legislature shall by law establish a Board of Pardons and Paroles and shall require it to keep record of its actions and the reasons for its actions. The Legislature shall have authority to enact parole laws *and laws that require or permit courts to inform juries about the effect of good conduct time and eligibility for parole or mandatory supervision on the period of incarceration served by a defendant convicted of a criminal offense.*

(b) In all criminal cases, except treason and impeachment, the Governor shall have power, after conviction, on the written signed recommendation and advice of the Board of Pardons and Paroles, or a majority thereof, to grant reprieves and commutations of punishment and pardons; and under such rules as the Legislature may prescribe, and upon the written recommendation and advice of a majority of the Board of Pardons and Paroles, he shall have the power to remit fines and forfeitures. The Governor shall have the power to grant one reprieve in any capital case for a period not to exceed thirty (30) days; and he shall have power to revoke conditional pardons. With the advice and consent of the Legislature, he may grant reprieves, commutations of punishment and pardons in cases of treason.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 1989. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the legislature to require or permit courts to inform juries about the effect of good conduct time and eligibility for parole or mandatory supervision on the period of incarceration served by a defendant convicted of a criminal offense."

Adopted by the Senate on April 3, 1989, by the following vote: Yeas 26, Nays 5.

Adopted by the House on May 2, 1989, by the following vote: Yeas 133, Nays 10.

Filed with the Secretary of State, May 5, 1989.

### S.J.R. No. 5

#### SENATE JOINT RESOLUTION

proposing a constitutional amendment to authorize the issuance of an additional \$500 million of Texas water development bonds for water supply, water quality, and flood control purposes.

*Be it resolved by the Legislature of the State of Texas:*

SECTION 1. Article III of the Texas Constitution is amended by adding Section 49-d-7 to read as follows:

Sec. 49-d-7. (a) *The Texas Water Development Board may issue additional Texas water development bonds up to an additional aggregate principal amount of \$500 million. Of the additional bonds authorized to be issued, \$250 million of those bonds*

shall be used for purposes provided by Section 49-c of this article, \$200 million of those bonds shall be used for purposes provided by Section 49-d-1 of this article, and \$50 million of those bonds shall be used for flood control as provided by law.

(b) The Texas Water Development Board may use the proceeds of Texas water development bonds issued for the purposes provided by Section 49-c of this article for the additional purpose of providing financial assistance, on terms and conditions provided by law, to various political subdivisions and bodies politic and corporate of the state and to nonprofit water supply corporations to provide for acquisition, improvement, extension, or construction of water supply projects that involve the distribution of water to points of delivery to wholesale or retail customers.

(c) The legislature may require review and approval of the issuance of the bonds, the use of the bond proceeds, or the rules adopted by an agency to govern use of the bond proceeds. Notwithstanding any other provision of this constitution, any entity created or directed to conduct this review and approval may include members or appointees of members of the executive, legislative, and judicial departments of state government.

(d) Except as specifically provided by Subsection (e) of this section, the Texas Water Development Board shall issue the additional bonds authorized by this section for the terms, in the denominations, form, and installments, on the conditions, and subject to the limitations provided by Sections 49-c and 49-d-1 of this article and by laws adopted by the legislature implementing this section.

(e) The legislature may provide by law for subsidized loans and grants from the proceeds of bonds authorized by this section to provide wholesale and retail water and wastewater facilities to economically distressed areas of the state as defined by law, provided, the principal amount of bonds that may be issued for the purposes under this subsection may not exceed 20 percent of the total amount of bonds authorized by this section. Separate accounts shall be established in the water development fund for administering the proceeds of bonds issued for purposes under this subsection, and an interest and sinking fund separate from and not subject to the limitations of the interest and sinking fund created pursuant to Section 49-c for other Texas water development bonds is established in the State Treasury to be used for paying the principal of and interest on bonds for the purposes of this subsection. While any of the bonds authorized for the purposes of this subsection or any of the interest on those bonds is outstanding and unpaid, there is appropriated out of the first money coming into the State Treasury in each fiscal year, not otherwise appropriated by this constitution, and amount that is sufficient to pay the principal of and interest on those bonds issued for the purposes under this subsection that mature or become due during that fiscal year.

(f) Subsections (c) through (e) of Section 49-d-2 of this article apply to the bonds authorized by this section.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 7, 1989. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to authorize the issuance of an additional \$500 million of Texas water development bonds for water supply, water quality, and flood control purposes."

Adopted by the Senate on April 11, 1989, by the following vote: Yeas 30, Nays 0.

Adopted by the House on May 25, 1989, by the following vote: Yeas 137, Nays 2, one present not voting.

Filed with the Secretary of State, May 31, 1989.

## S.J.R. No. 11

### SENATE JOINT RESOLUTION

proposing a constitutional amendment to authorize the exemption from ad valorem taxation certain personal property temporarily in the state for certain purposes.

*Be it resolved by the Legislature of the State of Texas:*

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